

**UNITED STATES DISTRICT COURT
District of Maine**

RYAN T. CARLETON,

Plaintiff

v.

ALAN WINTLE, et al.

Defendant

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Docket No. 1:23-cv-00253-JAW

DEFENDANTS' MOTION FOR SANCTION OF DISMISSAL

HERE COMES the Defendant, Alan Wintle, through counsel, and pursuant to the Court's March 1, 2024, Order, hereby move this Court to dismiss this claim, with prejudice, as a sanction for the Plaintiff's failure to respond to written discovery requests served on the Plaintiff on December 6, 2023.

Defendant Wintle, through counsel, hereby represents to the Court that since the time of the Court's March 1, 2024, Order (ECF No. 49), the Plaintiff has failed to serve answers to interrogatories or a response to the document request.

Defendant Wintle can discern no reason for the Plaintiff's failure to participate in good faith in discovery in this action which he has initiated, particularly after the issuance of the Order authorizing the instant motion.

WHEREFORE, pursuant to Fed.R.Civ.P. 37(b)(2), Defendant Wintle respectfully requests that the instant motion be granted and that the above-captioned case be dismissed, with prejudice.

Dated: March 28, 2024

/s/ Michael Lichtenstein

Michael D. Lichtenstein, Esq.
Wheeler & Arey, P.A.
Attorneys for Defendant Wintle
27 Temple Street
Waterville, ME 04901

UNITED STATES DISTRICT COURT
District of Maine

TROY BLIER,

Plaintiff

V.

AROOSTOOK COUNTY SHERIFFS DEPT,

ET AL.,

Defendants

Docket No. 2:22-cv-00094-LEW

CERTIFICATE OF SERVICE

I, Peter T. Marchesi, hereby certify that:

- Defendants' Motion for Sanction of Dismissal

has been served this day on Plaintiff by filing with the Clerk of Court using the CM/ECF system which will send notification of such filing(s) to the following:

None

Copies of the above documents have been provided to the Plaintiff via United States Mail, postage prepaid, at the following address:

Troy Blier (MDOC # 86987)
Maine Correctional Center
17 Mallison Falls Road
Windham, ME 04062

Dated: September 26, 2022

Peter T. Marchesi, Esq.
Wheeler & Arey, P.A.
Attorneys for Defendants Aroostook County
Sheriff Department, Gillen, Clossey,
and Schools
27 Temple Street
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